



## ATTACHMENT #2

September 14, 2004

GOE

Supplement to  
Agenda Item NO. 3 (A)

VIA FACSIMILE AND MAIL

June 15, 2004

Ms. Carolyn Blum  
Regional Administrator  
Federal Aviation Administration  
P.O. Box 20636  
Atlanta, GA 30320

RE: Proposed Operational Changes at Miami International Airport

Dear Ms. Blum:

This responds to Mr. Jeffrey Vincent, Acting Manager Airspace Branch's attached letter dated May 17, 2004. The Miami-Dade Aviation Department (MDAD) objects to Mr. Vincent's implications that MDAD has provided misleading information and ignored any objections to the draft Environmental Assessment (EA) raised by the Miami ATC Manager. As someone new to this issue we feel that Mr. Vincent does not have all the facts concerning the development of this EA. Mr. Vincent is the fourth or fifth Airspace Branch Manager to review this project. A complete review of the history of this project would show that MDAD has done everything that has been requested of us by the Federal Aviation Administration (FAA). Further, it should be noted that MDAD and the Noise Abatement Task Force (NATF) for Miami International Airport (MIA) has worked very closely with the MIA-Air Traffic Control (ATC) Manager for many years on this project, meeting monthly. All drafts of the document have been approved by the NATF as well as the MIA ATC-Manager before sending the document to Atlanta. If a member, or Manager, was not present at a meeting where decisions were made as to the text of the document, that individual was contacted by MDAD to solicit his/her input prior to it being sent to Atlanta.

MDAD, like the FAA, is concerned that this process is taking too long. We would like to address the new issues raised by Mr. Vincent in his May 17, 2004 letter.

1. In the second paragraph he notes that the NEPA document is valid for three years, and after three years it "must" be re-evaluated. Section 402 of FAA Order 1050.1E establishes time limits for EA's. The second sentence of sub-section 402a states that "If the approving official has not issued an EA/FONSI within

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three years of receipt of the final draft EA, a written re-evaluation of the draft must be prepared". The three-year rule also applies to an approved document as related to construction or implementation, such as time to begin construction of a new runway, as indicated in sub-section 402b. Since our final-draft EA was submitted to the FAA on March 25, 2004, using the words "final language" in our transmittal letter, we believe his statement does not apply to this situation. It should also be noted that the EIS for the new runway at MIA, which was managed by the FAA, took five years to complete.

2. MDAD is concerned that the issue of requesting a new baseline year and five year projection was not conveyed to us before this time. We believe that the FAA has had many opportunities to bring this issue to our attention prior to May 2004. To bring this to our attention at this time is an example of the "piecemeal process" that MDAD is being subjected to on this project.
3. In the fifth paragraph of Mr. Vincent's letter he notes that contours are requested for 2003, 2004, 2009, and 2010. We are unaware of any EA or EIS, done at any airport, that the FAA has required a sponsor to submit four evaluation years. Further, MDAD sees no logic or possible benefit of running contours one year apart (2003-2004, 2009-2010). In addition, data is not available for 2004. To comply with this request will delay this EA for a minimum of eight months from now. Typically the FAA requires a baseline year and two projected years spaced five years apart.
4. In the sixth paragraph he makes note of the FAA allowing 1999 to be used as the baseline. The use of 1999 as the baseline was not agreed to by the FAA to expedite the process as he has stated. The use of 1999 data was agreed to be used because it represented a worse case scenario, as Stage II aircraft were still flying.
5. Seventh paragraph. Runway 8/26 opened in September of 2003 not December.
6. Seventh paragraph. It is the opinion of MDAD that the FAA is not operating Runway 8/26 at MIA as it was intended to be operated and as approved in the 1998 EIS for the runway. At the time the EIS, which was managed by the FAA, was being developed (five years to complete) MDAD and the FAA were well aware of the redevelopment that was to occur on the north side of the airport. The area now occupied by UPS and FedEx has always been cargo related. The old facilities were demolished to make room for the new runway and plans were made to construct new facilities to be occupied by new tenants. In this paragraph he mentions that the increase in departures on the new runway is related to cargo activity from UPS and FedEx, this is incorrect. If the Tower would use 8/26, now called 8L/26R, for departures of aircraft located on the north side of Runway 8L/26R, MDAD and the FAA would be in compliance with the operational

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Ms. Blum

projections contained in the EIS. MDAD has documented proof that the increase in departures beyond what was anticipated in the EIS, is directly related to the Tower taking aircraft from the passenger terminal area, crossing an active runway, and instructing them to depart on 8L/26R. The act of crossing an active runway to get to 8L/26R for departure conflicts with Mr. Vincent's statement that aircraft on the north side need to use 8L/26R for departure because they "can not safely or efficiently be taxied to other runways".

Further, MDAD and the FAA have made commitments to elected officials and citizens of Miami-Dade County on how this new runway will be operated. If it is the intent of the FAA to operate the runway in a manner that contradicts its own policy of crossing active runways to get to other runways and intends to use the runway in a manner not approved by you through the EIS process, MDAD requests a letter, which outlines these changes so we can explain it to County officials and citizens.

#### Conclusion

MDAD has always cooperated with the FAA and provided every change requested by the FAA. This project has been in process with the FAA since 1995; it has been nine years to date to get an approval to improve the quality of life for thousands of people. The current draft document details how the proposed operational procedures will benefit the community, while negatively impacting none. MDAD does not agree with the conclusions and recommendations contained in Mr. Vincent's May 17, 2004 letter for the reasons stated herein, and respectfully requests that the draft document as written be approved and implemented by the FAA.

Sincerely,



Angela Gittens  
Aviation Director

Attachment

requirements. Yet in subsequent revisions to the document (November 2000, July 2001, December 2002) and a proposed revision in May 2003, MDAD chose to ignore the Tower Manager's comments and continued to specify a 95 percent usage for charted visual approaches. This issue was not resolved until October 2003. More recently, the use of Runway 8/26 as a departure runway became a topic of disagreement that was resolved with a proposed change in the text in the last draft of the EA (March 2004).

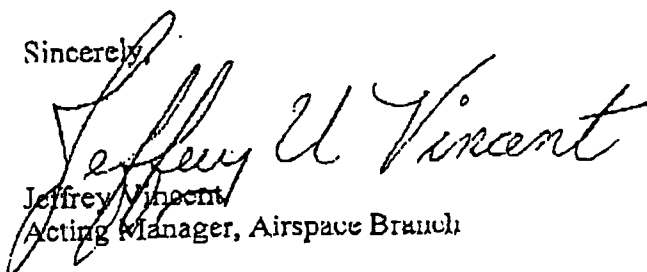
The information in MDAD's Noise Abatement EA must be updated. As per FAA environmental policy, the baseline case must be the most current year that operations data are available. At this time, operations data for 2003 should be available. The use of 2003 data for the implementation year is obviously no longer valid. The year 2004 would be the first full year that the four-runway configuration will be in use and could serve as the implementation year. The horizon year should be at least five years out from the implementation year. The use of 2010 as the horizon year is still acceptable provided that the operations forecast is updated.

In an October 2002 meeting, the FAA did agree that the use of the year 1999 as the baseline case would still be allowable at that time. Although contrary to FAA policy, this exception was made to expedite an already lengthy NEPA process. It assumed that MDAD would provide the FAA with an acceptable final draft of the EA by December 2002. The draft document dated December 2002 and received in February 2003, continued to contain inaccurate information (e.g., percentage use of charted visual approaches).

Runway 8/26 opened in December 2003. The 1998 Proposed Runway EIS specified that the new runway would be used primarily as an arrival runway. The Tower Manager has informed us that the use of the new runway for departures is greater than anticipated, and that it is not capable of operating as was specified in the 1998 Proposed Runway EIS. He states that the increase in departures is associated with new air cargo activity (UPS) on the north side of the airport that cannot safely or efficiently be taxed to the other runways. Continued growth in both north-side air cargo activity (FedEx) and use of the Runway 8/26 for departures is anticipated. Operations data for the implementation year and the future year cases need to capture the current and anticipated increase in departure activity for the new runway.

If you have any questions, please contact our Air Traffic Environmental Specialist, Allen Lucas, at 404-305-5583.

Sincerely,

  
Jeffrey U. Vincent  
Acting Manager, Airspace Branch

## ATTACHMENT #1



U.S. Department  
of Transportation  
Federal Aviation  
Administration

Southern Region  
Air Traffic Division  
Airspace Branch

P.O. Box 20635  
Atlanta, GA 30320

MAY 17 2004

Mr. Jeff Bunting  
Miami-Dade Aviation Department  
P.O. Box 592075 AMF  
Miami, Florida 33159

Dear Mr. Bunting:

We are in receipt of your March 25, 2004 letter requesting that the FAA restart the National Environmental Policy Act (NEPA) environmental process for the Miami International Airport (MIA) Noise Abatement Environmental Assessment (EA). The EA describes the use of four new air traffic procedures at MIA that were designed to reduce aircraft noise impacts to residents of the Miami-Dade metropolitan area.

In examining the files for this project, we note that the Miami-Dade Aviation Department (MDAD) submitted the original draft of the EA to our agency in December 1999. The last draft, dated September 2003 was received in October 2003. Additional changes to that draft were submitted in March 2004. Much of the information in the document is now over four years old. FAA's environmental regulations stipulate that a NEPA document is assumed valid for three years. After three years, the document must be reevaluated. This is to ensure that a NEPA document that the FAA adopts and provides to the public contains current and accurate information.

Much of the last four years have been consumed with resolving air traffic operational issues associated with the proposed noise abatement procedures. These issues were first detailed in an April 3, 2000 letter from the MIA Air Traffic Control Tower Manager to MDAD. In that letter, the Tower Manager specified operational problems (safety and efficiency) with three of the four proposed noise abatement procedures as presented in the 1999 draft of the EA. Over the next four years, MDAD chose to ignore the Tower Manager's comments and repeatedly submitted drafts of the EA to the FAA that contained descriptions of air traffic procedures that were not operationally feasible. This resulted in a lengthy, piecemeal process.

For example, in his April 2000 letter, the Tower Manager stated that the proposed west-flow charted visual approaches could be used at most 10 percent of the time, not the 95 percent usage specified in MDAD's 1999 draft EA. This item was brought to MDAD's attention on a number of additional occasions, most recently in a February 28, 2003 e-mail to MDAD from the Tower Manager. In that correspondence, he stated that information in the EA was misleading in that the charted visual approaches would unlikely be used to any great extent because of traffic separation

# **Miami International Airport's Environmental Assessment**

## **A Clarification of Purpose and Need for Operational Noise Mitigation Procedures**

**Miami-Dade County Aviation Department  
July 2004**

## **INTRODUCTION AND BACKGROUND OF MIAMI INTERNATIONAL AIRPORT'S ENVIRONMENTAL ASSESSMENT**

The Miami-Dade Aviation Department (MDAD) has requested the Federal Aviation Administration (FAA) to approve and implement noise abatement air traffic measures at Miami International Airport (MIA) to reduce aircraft noise impacts to communities located around the Airport. The noise abatement measures are the results of recommendations of a community-based task force, MDAD, and consultants convened to address noise associated with operations at MIA.

Communities located around the Airport requested that MDAD develop a strategy to reduce overall aircraft noise associated with operations at MIA. In order to address these operationally related noise issues, MDAD established a committee, the Noise Abatement Task Force (NATF), comprised of MDAD staff, elected officials, citizens from affected communities, industry representatives and representatives from the FAA's Miami Air Traffic Control Tower (ATCT). The NATF citizen representation was not restricted to those that live within the 65 DNL<sup>1</sup> noise contour, but included those living beyond the 65 DNL contour limits, as well. The public involvement process for the evaluation and recommendation of operational noise abatement actions has been an on-going process at MIA for the past five years. During the assessment process for the new Air Carrier Runway (Runway 8L/26R) Environmental Impact Statement (EIS), a number of noise issues were raised by citizens living within the approach and departure corridors and other areas in close proximity to the Airport. Those issues that related directly to the new air carrier runway were addressed during the EIS process. However, other community noise issues (those included in the EA) are related to the overall procedures for directing aircraft into and out of the four runway system at the Airport.

### **PURPOSE AND NEED FOR THE PROPOSED FEDERAL ACTION**

Initial meetings of the NATF resulted in the identification of the noise issues needing to be addressed and the establishment of goals for the noise abatement program. These goals included: (1) the reduction of departure activity to the east particularly at night; (2) the reduction of dispersion of low altitude aircraft departure turns during west flow; (3) the reduction of the dispersion of aircraft arrivals and departures east of the Airport; and (4) the redirection of aircraft over non noise sensitive areas in the vicinity of the barrier islands for both west flow arrivals and east flow departures at MIA.

With these goals established, coordination began with representatives of the FAA's ATCT at the Airport, and initial noise mitigation measures to address the goals were developed. Monthly or bi-monthly meetings were held with the NATF to gain input as the overall noise mitigation plan was developed. As input was received and initial analyses reviewed, adjustments to the plan were made to reflect input from the NATF and the FAA's ATCT. The procedures associated with the plan were discussed with the

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<sup>1</sup> DNL: Day Night Levels; a logarithmic average of sound levels in A-weighted decibels based on a 24-hour equivalent Sound Level (Leq) weighted to account for increased noise sensitivity between night time hours of 10:00 p.m. and 7:00 a.m.

NATF, revised and submitted to the FAA for review. The East Flow procedures were subjected to 180-day tests to determine if the procedures could be implemented in a safe and efficient manner by the ATCT at MIA.

The patterns of land use around an airport provide guidance for the design of arrival and departure routes and flight procedure for noise abatement purposes. By directing aircraft over more compatible and less populated areas such as commercial, industrial and vacant lands or over water bodies, noise impacts on the community can be reduced. Turning or rerouting aircraft, when possible, to avoid residential and other noise sensitive areas is an accepted method for achieving noise abatement. In addition, modifications of runway use can also be made to reduce noise exposure.

MIA is surrounded by dense urban development to the east, north, and south. To the west, industrial commercial and undeveloped areas dominate the landscape. Because of prevailing east winds, the large majority of aircraft arrivals and departures currently take place in an east flow at the Airport. This places the noisier departing aircraft over the more densely populated areas east of the Airport. In addition, options for altering current procedures are limited by aircraft operations at nearby airports and en route air traffic activity. These land use and operational constraints limited the opportunities available for considering mitigation options.

Given these constraints, the NATF process identified a series of four traffic procedural modifications designed to reduce overall community noise by directing aircraft, to the extent practicable, away from sensitive land uses and over areas that are more compatible with aircraft noise. The proposed procedures represent the consensus of recommendations by both the NATF and MDAD and the approval of the Miami ATCT.

## **PROPOSED FEDERAL ACTION**

A brief description of the proposed flight procedure changes is presented in the following.

### **1) Modification of West Flow Departure Procedures (Day and Night)**

This action involves the modification of west flow departure flight tracks during both daytime and nighttime hours at MIA for heavier turbojet aircraft including air carrier and air cargo type aircraft. The modification of flight tracks west of the Airport allows aircraft to avoid lower altitude flyovers of residentially developed areas to the southwest and northwest. This procedure would enable departing aircraft to gain altitude over predominately industrial and commercial land uses prior to making subsequent turns.

### **2) Maximization of West Flow (Night)**

This action involves increasing the flow condition to the west during nighttime hours under calm wind conditions. With this action, flow to the west is proposed to increase from its current 27 percent of nighttime operations to 50 percent. This procedure would



allow more of the noisier departure activity to occur over predominately compatible land located west of MIA and reduce noise exposure to residential areas east of the Airport.

3) Modification of East Flow Departure Procedures (Night)

This action involves modifications to existing departure headings during east flow conditions at night. The proposed modifications include the establishment of alternative headings from Runways 8L, 8R, 9 and 12 to reduce noise exposure. The modification of these headings is intended to reduce the noise exposure over noise sensitive areas of Miami Beach, Key Biscayne, and other beachside communities.

4) Establishment of West Flow Charted Visual Approaches (Day and Night)

This action increases west flow arrival altitudes through the establishment of Charted Visual Approaches for both daytime and nighttime conditions for Runways 26R, 26L, 27 and 30. These procedures would reduce overflights of turbojet arrivals on most of the areas of Miami Beach, Key Biscayne, and Biscayne Bay.

The purpose of the Proposed Federal Action described in this Environmental Assessment (EA) is to achieve the objectives of the NATF by implementing the requested flight procedure changes developed during the NATF process.

The FAA does not normally initiate air traffic noise abatement actions. These actions are requested by airport managers or sponsors in response to community concerns over aircraft noise. When the FAA receives a request to implement changes to air traffic procedures, it must initiate a process to consider the environmental impacts of the changes in accordance with the various environmental statutes, including the National Environmental Policy Act (NEPA).

In fulfilling its environmental responsibilities in this case, the FAA has determined that the preparation of an EA for the Proposed Action (the implementation of noise abatement procedures) is necessary. The EA was prepared to disclose impacts to the human and natural environments resulting from the Proposed Action, to determine if any potential impacts are significant, and to determine whether an Environmental Impact Statement (EIS) is needed. An EIS is required when project impacts are determined to be significant. If an EIS is not required, a Finding of No Significant Impact (FONSI) is prepared based on the information contained in the EA.

The EA was prepared in accordance with the directives and guidelines set forth by the Council on Environmental Quality (CEQ: 40 CFR Parts 1500 – 1508), the Department of Transportation (DOT Order 5610.1), and FAA Order 1050.1D – Policies and Procedures for Considering Environmental Impacts (December 5, 1986 amended June 14, 1999).

Previously, on September 18, 1998 the FAA approved an EIS for construction of a new 8,600-foot long runway (Runway 8L/26R) at MIA (Final Environmental Impact Statement Proposed Runway at Miami International Airport Miami Dade County Florida

September 1998). This runway is parallel to, and 800 feet north of, Runway 8R/26L. The runway provides additional capacity at MIA and is used almost exclusively as an arrival runway.

The EA tiers or builds upon that 1998 EIS to incorporate the proposed noise abatement flight procedures in conjunction with the operation of the four runway system at MIA as described in that document. Additional detailed information on the Airport, its operations, the surrounding communities, and environmental considerations associated with the construction and operation of the new runway are presented in the 1998 EIS.

## **EXISTING AND PROJECTED OPERATIONAL ACTIVITY**

The 1999 operations and fleet mix used to develop the baseline condition were based on data available between August 1, 1998 through July 31, 1999 from MDAD files and Federal Aviation Administration ATC records. The evaluation of noise mitigation procedures was prepared for two future years, 2003 and 2010. The operations used as a basis for the 2003 and 2010 conditions were taken from the forecast included in the recently approved Air Carrier Runway EIS. However, operational and fleet mix modifications were made to the forecast based on actual 1999 conditions and further modifications were made based on the effects of September 11, 2001.

## **STATUS OF THE ENVIRONMENTAL ASSESSMENT**

MIA/FAA Air Traffic Control (ATCT), MIA Noise Abatement Task Force (NATF) and MDAD developed the final EA in 1999 and forwarded it to the FAA-ATL for review. Since that time, MDAD has amended the draft as per the guidelines of the FAA. Revisions continued until MDAD submitted a draft dated September 2003 to the FAA. The FAA responded in a May 17, 2004 (please see attachment #1) letter essentially requesting that MDAD revise the EA based on the following:

- The original draft submitted in 1999 is four years old. The FAA's regulations stipulate that the National Environmental Policy Act (NEPA) document is assumed valid for three years. After three years, the document must be reevaluated.
- As per FAA policy, the baseline case must be the most current year that operations data are available. At this time, operations data for 2003 should be available.
- The FAA recommends that the year 2004 serve as the implementation year.
- The FAA states that the year 2010 is acceptable as the horizon year, provided that the operations forecast is updated.
- The FAA states that operations data for the implementation year and the future year cases needs to capture the current and anticipated increase in departure activity for the new runway.

In a June 15, 2004 response letter to the FAA (please see attachment #2), MDAD respectfully disagreed with the conclusions and recommendations contained in the FAA's

May 17, 2004 letter. A complete review of the history of this project indicates that MDAD has fully complied with the FAA's requests as indicated in the letter for the following reasons:

- The NEPA rule applies to an approved document as it relates to the construction or implementation, such as the time to begin construction, as indicated in the NEPA sub-section 402b. The request does not apply to MIA's current situation.
- A request for a new baseline year and five year projection was not conveyed to MIA before the May 17, 2004 letter, and furthermore the use of 1999 as the baseline was agreed because it represented a worse case scenario.
- MDAD is unaware of any EA or EIS done at any airport that the FAA required a sponsor to submit four (4) evaluation years. Furthermore no logic or possible benefit of running noise contours one year apart (2003-2004, 2009-2020) as per the FAA's request.
- FAA stated that the new runway (8L/26R) was opened in December 2003, when in fact was opened in September 2003.
- A clarification of the use for the new runway (8L/26R) was given to include how the new runway should be utilized to comply the operational projections contained in the EIS for the runway.

## **CONCLUSION**

MDAD has requested that the draft document as written (September 2003 version) be approved and implemented by the FAA.